

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

Mitchell Binder and King Baby Studio, Inc.,)	
)	Case No. 3:16-2493
Plaintiffs)	
)	
vs.)	
)	
Blacksmith & Co. Limited, Billy Huxley and)	
Does 1-10, Inclusive,)	
 Defendants		

ORDER OF AGREED JUDGMENT

Upon the Motion for Entry of an Order of Agreed Judgment by Plaintiffs Mitchell Binder and King Baby Studio, Inc. (collectively, the “Plaintiffs”) and the agreements between Plaintiffs and the named Defendants Blacksmith & Co. Limited and Billy Huxley, as evidenced by their signatures below, this Court has considered the Motion of the Plaintiffs and the agreement between Plaintiffs and Defendants and hereby, **FINDS, ORDERS, ADJUDGES AND DECREES** as follows:

1. The Complaint is well founded;
2. Defendants Blacksmith & Co. Limited and Billy Huxley did not file an Answer to the Complaint;
3. Plaintiffs and Defendants have determined that it is in their best interests to be bound by the terms of this Order of Agreed Judgment in order to resolve and settle this matter in full;
4. Defendant Blacksmith & Co. Limited has agreed to pay Plaintiffs USD \$1,000.00 in two separate consecutive monthly payments commencing on the first day of the month after the entry of this Order of Agreed Judgment.

5. Defendant Blacksmith & Co. Limited has agreed to deliver all inventory in its possession that infringes upon the Plaintiffs' copyrights. Said infringing inventory is to be delivered to Plaintiffs at King Baby Studio, Inc., 615 9th Ave South, Nashville, TN 37203, within fifteen (15) days from the date of entry of this Order of Agreed Judgment.

6. Defendants Blacksmith & Co. Limited and Billy Huxley agree in perpetuity to refrain from and are hereby permanently enjoined from infringing upon the Plaintiffs' copyrighted designs and trade dress including, without limitation, the copyrighted designs identified in the Complaint; all copyrights of the Plaintiffs registered with the United States Copyright Office; and all derivative works arising under any of the foregoing.

7. Defendants Blacksmith & Co. Limited and Billy Huxley agree to remove all infringing items from their internet websites and social media platforms and to refrain in perpetuity and are hereby permanently enjoined from posting and distributing any images that infringe upon the Plaintiffs' copyrighted designs and trade dress including, without limitation, the copyrighted designs identified in the Complaint; all copyrights of the Plaintiffs registered with the United States Copyright Office; and all derivative works arising under any of the foregoing.

8. Defendants Blacksmith & Co. Limited and Billy Huxley agree in perpetuity to refrain from and are hereby permanently enjoined from selling, marketing, advertising, and conducting commerce and trade in any items that infringe upon the Plaintiffs' copyrighted designs and trade dress including, without limitation, the copyrighted designs identified in the Complaint; all copyrights of the Plaintiffs registered with the United States Copyright Office; and all derivative works arising under any of the foregoing.

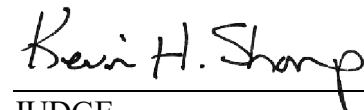
9. This Order of Agreed Judgment is enforceable under United States law and the laws of the United Kingdom by and through the Berne Convention. In the event of a breach by

Defendants Blacksmith & Co. Limited and/or Billy Huxley of any term set forth in this Order of Agreed Judgment, Plaintiffs shall be entitled to recover their reasonable attorney's fees, costs, and costs of collection in connection with Plaintiffs' attempt to enforce the terms of this Order of Agreed Judgment.

10. Court costs for this matter are assessed against Plaintiffs.

IT IS SO ORDERED.

ENTER this 28th day of March, 2017.



JUDGE

ACKNOWLEDGED, AGREED AND APPROVED FOR ENTRY:

Respectfully submitted,

NEAL & HARWELL, PLC

By: /s/ David G. Thompson
William T. Ramsey (BPR #9245)
David G. Thompson (BPR #20309)
Marie Tedesco Scott (BPR #032771)
1201 Demonbreun Street, Suite 1000
Nashville, TN 37203
(615) 244-1713 (telephone)
(615) 726-0573 (fax)
wramsey@nealharwell.com
dthompson@nealharwell.com
mscott@nealharwell.com

Counsel for King Baby Studio, Inc.

KING BABY S TUDIO, INC.

By:

Mitchell Binder, President

King Baby Studio, Inc.
615 9th Ave South
Nashville, TN 37203

BLACKSMITH & CO. LIMITED

By: 
Jamie Denholm, Authorized Representative

54 North End
Longhoughton
Alnwick
NE66 3JP
Northumberland United Kingdom


Billy Huxley

Flat 30 Shore Point
46 High Road
Buckhurst Hill
Essex IG9 5JE